

## YEAS—14.

Atlee,	Lawhon,
Baldwin,	Lewis,
Bowser,	McComb,
Dickson,	Pressler,
Goss,	Shelburne,
Greer,	Simpson,
Jester,	Smith.

## NAYS—8.

Browning,	McKinney,
Crowley,	Whitaker,
Dean,	Woods,
Hutchison,	Yoakum.

## EXCUSED—6.

Agnew,	Imboden,
Boren,	Steele,
Cranford,	Tips.

## ABSENT—3.

Douglass,	Swayne.
Kearby,	

Senate adjourned accordingly.

## TWENTY-FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, Feb. 6, 1893.

Senate met pursuant to adjournment.

President pro tem. Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

## PRESENT—23.

Atlee,	McComb,
Baldwin,	McKinney,
Cranford,	Pressler,
Crowley,	Shelburne,
Dean,	Smith,
Douglass,	Steele,
Goss,	Swayne,
Hutchison,	Tips,
Imboden,	Whitaker,
Kearby,	Woods,
Lawhon,	Yoakum.
Lewis,	

## ABSENT—6.

Agnew,	Dickson,
Bowser,	Greer,
Browning,	Jester.

## EXCUSED—2.

Boren,	Simpson.
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Prayer by the chaplain, Dr. Briggs.  
Pending the reading of the journal,  
On motion of Senator McKinney,  
the reading of the same was suspended.

On motion of Senator Douglass, Senator Dickson was excused for to-day on account of important business.

## COMMITTEE REPORTS.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 3, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 107, entitled "An act to restore the civil and criminal jurisdiction of the county court of Tyler county,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass, with these amendments:

Amend by striking out the words "civil courts of appeal" wherever they appear in this act, and insert in lieu thereof the words "court of civil appeals."

Amend by striking out lines 20, 21, 22, 23, 24, 25, 26, 27 and part of line 28, including the word "law." The lines stricken out relate to probate jurisdiction, which the county court already has.

ATLEE, Chairman.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 3, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 5, entitled "An act to diminish the civil and criminal jurisdiction of the county court of Dimmit county,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do* pass, with these amendments:

Amend the caption by adding thereto "and to conform the jurisdiction of the district court of said county to such change."

ATLEE, Chairman.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 4, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 129, being "An act to amend the act creating the Thirty-fourth judicial district, and fixing the time for holding the terms of court therein, and all acts amendatory thereof and to repeal all laws and parts of laws in conflict with this act," and find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 4, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills

have carefully examined and compared

Senate bill No. 50, being "An act to prevent the employment of Pinkertons or other armed forces not residents of this State by any person, corporation or firm in this State,"

And find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 6, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 101, entitled "An act to restore and confer upon the county court of Marion county the civil jurisdiction heretofore belonging to said county under the Constitution and General Statutes of the State, and to conform the jurisdiction of the district court of said county to said change,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with these amendments:

Amend by inserting the word "not" before the word "involving" in section 5, line 3.

Amend by adding the words "exclusive of costs" in line 6, section 2, after the word "dollars."

Amend by adding the following words: "and not exceed \$500," after the word "dollars" in section 1, in line 6, and at end of section add the words "exclusive of interest."

ATLEE, Chairman.

MINORITY REPORT.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 6, 1893.

Hon. M. M. Crane, President of the Senate:

We, the undersigned beg leave to differ with the majority report of your committee, Judiciary No. 1, in which they report Senate bill No. 83, relating to practice in the district and county courts, with the recommendation that it do not pass.

We submit that article 1389 of the Revised Civil Statutes, as amended by the act of the Twenty-second Legislature, fails to protect a class of people that the law has in all ages thrown its protecting arm around, and should continue to do so. The law as it was before said amendment provided that the writ of error may in cases where the sum is allowed, be sued at any time within two years after final judgment was rendered, and not thereafter, except in the case of infants, married women and persons of unsound mind, who shall have two years after the

removal of their respective disabilities within which to sue out such writ. This has been the law in Texas since 1846 until the act passed by the Twenty-second Legislature, when all the above named parties, infants, married women and persons of unsound mind, were not excepted from its provisions. The bill in question, No. 83, seeks only to re-enact the law as it has been since 1846, and to protect a helpless, dependent and unfortunate class of people, and we feel it our duty to enter our protest against the action of the majority of your committee, and recommend that said bill do pass.

YOAKUM, Minority Committee.

COMMITTEE ROOM,

AUSTIN, TEXAS, Feb. 3, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 40, entitled "An act to provide for inquests on fires and accumulating and reporting fire statistics,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that the following substitute do pass in lieu of the original bill.

McCOMB, Chairman.

COMMITTEE SUBSTITUTE.

A bill to be entitled "An act to provide for inquests on fires, and prescribe the powers and duties of justices of the peace in relation thereto; to define the duties of the Commissioner of Agriculture, Insurance, Statistics and History in relation thereto; to repeal all existing laws on the subject of fire inquests, and to make an appropriation to carry out the purposes of this act."

Section 1. Be it enacted by the Legislature of the State of Texas, That the purview and duties of justices of the peace in this State shall be extended to include casualties to property by fire, and the laws now existing which make it imperative upon the justices of the peace to attend in cases of death shall be applicable in all cases of fire, and the justices shall, from and after the passage of this act, attend to the matters hereinafter described, and shall have the same power to summon and examine witnesses and to do other necessary and suitable things in order to perfect inquests on fires as they now have in cases of death.

Sec. 2. It shall be the duty of the justice of the peace to take cognizance of all fires and conflagrations occurring

in his precinct, and to be present at the place where they occur at the earliest practicable moment, and to investigate and report thereon; and he shall have power to issue subpoenas and attachments for any person he may deem necessary for the purpose of making such investigation, and to cause such person to appear before him at such time and place as he may fix, and he shall have the power to issue subpoenas duces tecum for any and all papers, invoices and books as he may deem necessary for the purpose of such investigation, and any person failing or refusing to comply with such processes shall be deemed guilty of contempt, and may be punished as the law provides in such cases. The justice of the peace shall, by personal inquiry and otherwise, ascertain and record the circumstances preceding, attending and following such fires, great or small, of public or private property alike. He shall approximate and record the value of properties involved in every fire, the insurance thereon and the amount of loss or damage suffered, and in each case stating separately the value, insurance and loss upon each building and its contents, and shall make particular effort to ascertain the cause or origin of each fire in the place where it originated, and shall determine and report as far as practicable how it might have been prevented or avoided. He shall have power to enter or examine, with or without assistants, premises that have been on fire, for the purpose above described, and any person or persons who shall prevent, impede, obstruct or in any manner interfere with a justice of the peace or any other officer while in the effort to enter such premises and make an investigation into the origin of such fires, shall be deemed guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction, shall be fined not less than five dollars and not more than one hundred dollars.

Sec. 3. When a fire occurs, and there is any information or complaint, alleging evidence of arson or incendiarism, or of attempt thereto, the justice of the peace in the precinct in which it occurred, or in his absence the nearest justice of the peace, shall immediately notify the Commissioner of Insurance by telegraph, or if there is no telegraph line available, then by mail. He shall then proceed to hold the inquest as provided for in this act.

Sec. 4. If the justice of the peace finds that any building has been de-

signedly set on fire, or attempt has been made to set any building on fire, the justice holding such inquest shall bind over the witnesses to appear and testify before the next grand jury of the county in which the offense was committed, and in such case, if the party charged with any such offense be not in custody, the justice holding such inquest shall have power to issue a warrant for his arrest, and, when arrested, to cause an examining trial to be held, and to proceed as in other like cases.

Sec. 5. It shall be the duty of the county attorney of the county wherein a fire inquest is held to attend the inquest on behalf of the State, and aid in the inquest, and he shall be paid ten dollars for representing the State at such inquests, to be allowed by the commissioners court, and paid on its order out of the general fund.

Sec. 6. In all investigations had under this act the testimony of all witnesses examined before the justice of the peace shall be reduced to writing by him, or under his direction, and subscribed and sworn to by the witnesses; and such testimony, together with the findings of the justice, and all bail bonds and other papers taken in the case, shall be certified to and returned by the justice of the peace to the next district or criminal court of his county as provided for in examining trials in criminal cases.

Sec. 7. The inquest may, in the discretion of the justice of the peace, be made private, and others than those needed to be present may be excluded from the place where the inquest is held, and witnesses may be kept separate and apart from each other and not allowed to communicate with each other pending the examination or trial.

Sec. 8. Justices of the peace shall also record in books, furnished by the Insurance Commissioner for that purpose, the data of each and every fire which occurs in his jurisdiction; and for each report so made he shall be allowed a fee of \$1, to be paid by the Insurance Commissioner, and any justice of the peace who fails or refuses to make the report required of him by the Commissioner of Agriculture, Insurance, Statistics and History shall be deemed guilty of misfeasance in office, and upon conviction thereof in any court of competent jurisdiction, may be removed from office.

Sec. 9. In case of the appearance or complaint of arson or incendiarism, the commissioner may call upon any city, county or district officers for such



assistance as he may need, and in case he deems best, he may secure the services of special counsel to aid in investigations and prosecutions, and may employ any help needed for the successful investigation of fires of incendiary origin, and pay all necessary expenses incurred in the premises. Any officer who may be called to assist in an examination or prosecution shall be allowed the same fees as in criminal cases of like magnitude and paid in the same manner.

Sec. 10. When, or after, a fire occurs and any information of arson or incendiarism, or attempt thereto, or complaint alleging arson or incendiarism, or attempt thereto, is filed with the Insurance Commissioner, he may make, or cause to be made, an application to a justice of the peace, district, county or municipal court, for an inquest to be held, and the court so applied to shall hold the inquest applied for as herein provided for the justices of the peace.

Sec. 11. It shall be the duty of the Insurance Commissioner to provide the necessary blanks and books to justices of the peace of the several counties and to include in his annual report a statement by counties and by aggregates of the number of fires, with their statistics, and particularly to state the causes of fires and the probable means of their prevention and avoidance.

Sec. 12. It shall be the duty of every person on or in whose premises a fire shall occur, which shall result in damages exceeding fifty dollars to insured property, to notify the nearest justice of the peace by the speediest means, and any such person who shall delay such notification forty-eight hours shall be guilty of a misdemeanor, and on conviction thereof by any court of competent jurisdiction, shall be fined not less than \$10 nor more than \$100, and a similar fine of \$10 for each additional day of neglect.

Sec. 13. The fire records of the justice of the peace shall be deemed public documents, and shall be open to the inspection of citizens, and a justice shall furnish to any citizen of the State copies of documents upon payment of fees such as are usual in other county officers for similar services.

Sec. 14. It shall be the duty of the judges of each district court to give this act in special charge to the grand jury.

Sec. 15. An officer, other than a justice of the peace, neglecting or refusing to comply with any requirements of this act, shall be punished by a fine

of not less than \$20 nor more than \$200.

Sec. 16. The compensation of the officers making the investigation provided for in this act shall be \$2 for each inquest held, and shall be paid in the same manner as inquests upon dead bodies.

Sec. 17. The sum of twelve thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated to carry into effect the provisions of this act for the two years after its passage.

Sec. 18. All existing laws, or parts of laws, relating to fire inquests are hereby repealed.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 1, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 115, entitled "An act to repeal an act entitled an act carrying into effect the constitutional amendment to article 7, section 5, transferring annually 1 per cent of the permanent school fund to the available school fund,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do not* pass.

SMITH, Chairman.

#### MINORITY REPORT.

COMMITTEE ROOM,  
AUSTIN, TEXAS, Feb. 1, 1893.

Hon. M. M. Crane, President of the Senate:

As a member of the Committee on Education, I beg to dissent from the opinion of the majority of said committee as to the disposition of Senate bill No. 115; and I submit that said bill ought to become a law.

Said bill proposes to repeal the act of the Legislature approved April 12, 1892, appropriating one per cent of the permanent school fund annually for available school purposes.

I believe that this act ought to be repealed, because the effect of continuing said act in force will be to teach the people of the State to rely upon continual appropriations of the permanent school fund for the maintenance of the public schools, and in the natural course of events, it will only be a few years until they will demand such change in the Constitution as will allow the annual appropriation of more than one per cent of the permanent school fund for available school purposes, and thus the appropriations made by the Legislature will be subject to frequent changes, rendering the amount thereof a matter of un-

certainty, from time to time, to the throughout the of educational affairs great confusion State.

This proposed inroad upon the permanent school fund is fraught with peril to said fund and to the best educational interests of the people.

Our people should be taught to rely upon State and local taxation for the support of the public schools, and to look to the interest on the permanent school fund only as a perpetual and convenient supplement to the revenue raised by taxation.

I believe that the best interests of our educational system and the permanent good of our public free schools demand the repeal of the act of the Twenty-second Legislature, approved April 12, 1892, and that this bill should pass.

Respectfully submitted,

Goss.

#### BILLS AND RESOLUTIONS.

By Senator Atlee:

A bill to be entitled "An act to amend section 2 of an act to amend an act approved March 25, 1889, being an act to amend an act to re-enact section 28 of an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883; and to amend said section 28 of said act, approved February 26, 1885; and to create the Forty-ninth judicial district, to provide for the appointment and election of a district judge and district attorney therein, and to repeal all laws and parts of laws in conflict therewith, passed at the regular session of the Twenty-second Legislature being chapter 39 of the acts thereof."

Read first time and referred to Committee on Judicial Districts.

By Senator Baldwin:

A bill to be entitled "An act to amend section 50 of an act to organize the courts of civil appeals, to define their jurisdiction and powers and to prescribe the mode of procedure therein, as enacted by the first called session of the Twenty-second Legislature in 1892, and to repeal all laws in conflict therewith."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lawhon:

A bill to be entitled "An act to provide for locating unlocated Confederate veteran land certificates, issued under the act of April 9, 1891."

Read first time and referred to Committee on Public Lands.

By Senator McKinney:

A bill to be entitled "An act to amend chapter 7, article 118, of the Revised Civil Statutes of the State of Texas."

Read first time and referred to Committee on Public Lands.

By Senator Hutchison, by request:

"An act to provide for the adoption of labels, trade marks and forms of advertising by persons, firms, associations or unions of working men, and to regulate the same."

Read first time, and referred to Judiciary Committee No. 1.

By Senator McComb:

A bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other, and to those dealing with them, or either of them, and to prescribe a rule of evidence as to such relationship, and to further prescribe their duties and liabilities."

Read first time and referred to Judiciary Committee No. 2.

By Senator Goss:

A bill to be entitled "An act to validate certain titles to lands located by virtue of certificates issued to railroad companies, and now owned by private individuals."

Read first time and referred to Committee on Public Lands.

#### HOUSE MESSAGES.

The following messages were received and read:

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, Feb. 6, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bills, to-wit:

House bill No. 67, "An act to audit and disburse the money collected by the State of Texas from the United States government by reason of the direct tax of 1861, and to repeal so much of a joint resolution approved April 11, 1892, as is in conflict herewith."

Passed by a two-thirds vote—ayes, 102; noes, 11.

House bill No. 171, "An act to grant to the Waco Water Power and Electric Company the right to construct and maintain and by necessary booms or otherwise, to protect, and from time to time to raise a dam across the Brazos river, and to purchase, condemn and pay for lands, rights

and other property overflowed or injured thereby or necessary therefor."

Respectfully,  
GEO. W. FINGER,  
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, Feb. 6, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate that the House request the return of House bill No. 171, a motion having been made to reconsider.

Respectfully,  
GEO. W. FINGER,  
Chief Clerk House of Representatives.

On motion of Senator Whitaker, the request of the House was granted and the bill was returned.

HOUSE OF REPRESENTATIVES,  
AUSTIN, TEXAS, Feb. 6, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bills, to-wit:

Senate bill No. 24, "An act to amend article 143 of the Revised Civil Statutes of the State of Texas concerning advertisements for bids to furnish supplies to asylums,"

Senate bill No. 74, "An act to amend article 2835, title 49 of the Revised Civil Statutes (Statutes of 1879), relating to legal holidays, naming the first Monday in September of each year as a legal holiday, to be called Labor Day."

House bill No. 14, "An act to amend article 1263, Revised Civil Statutes."

House bill No. 70, "An act to restore and confer upon the county court of Blanco county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act." Passed by two-thirds vote. Ayes, 86; noes, 3.

House bill No. 171, "An act to grant to the Waco Water Power and Electric Company the right to construct and maintain and by necessary booms or otherwise to protect, and from time to time to raise a dam across the Brazos river, and to purchase, condemn and pay for lands, rights and other property overflowed or injured thereby or necessary therefor."

Passed by two-thirds vote—ayes, 97; noes, 6.

Respectfully,  
GEO. W. FINGER,  
Chief Clerk House of Representatives.

(Senator Lewis in the chair.)

The Chair announced the morning call concluded, and laid before the Senate

#### SPECIAL ORDER.

Senate bill No. 4, entitled "An act to define perpetuities, to prohibit, regulate and limit the ownership of real estate within this State by corporations, and to provide for the condemnation and sale thereof," on second reading.

Action recurred to the amendment offered by Senator Baldwin last Friday, as follows:

Amend by adding to section 6 the following: "Except what is necessary to carry on the business for which said corporation was created."

Lost by the following vote:

YEAS—8.

Atlee,	Dean,
Baldwin,	Shelburne,
Bowser,	Smith,
Crowley,	Tips.

NAYS—13.

Agnew,	Lawhon,
Cranford,	McKinney,
Douglass,	Pressler,
Goss,	Steele,
Hutchison,	Whitaker,
Imboden,	Yoakum.
Kearby,	

ABSENT—6.

Browning,	McComb,
Greer,	Swayne,
Jester,	Woods.

EXCUSED—3.

Boren,	Simpson.
Dickson,	

Sections 7, 8 and 9 were read and adopted.

Section 10 read, and Senator Yoakum offered to amend as follows:

Amend by striking out all of section 10 after the word "enumerated" in line 6.

Lost by the following vote:

YEAS—10.

Agnew,	Pressler,
Douglass,	Steele,
Goss,	Whitaker,
Kearby,	Woods,
McKinney,	Yoakum.

NAYS—12.

Atlee,	Lawhon,
Baldwin,	McComb,
Crowley,	Shelburne,



Dean,  
Hutchison,  
Imboden,

Smith,  
Swayne,  
Tips.

ABSENT—5.

Bowser,  
Browning,  
Cranford,

Greer,  
Jester.

EXCUSED—3.

Boren,  
Dickson,

Simpson.

(President Pro Tem. Kearby in the chair.)

By Senator Tips:

Amend section 10, line 1, by adding after the word "educational" the words "commercial, social."

By Shelburne:

Substitute the amendment as follows: Amend by inserting after the word "religious," in line 2, section 10, the following: "Commercial, social or institutions created for the encouragement of agriculture and horticulture by associations for the maintenance of public fairs and exhibitions of stock and farm products."

Senator Tips accepted the substitute.

The amendment as substituted was then adopted.

(Senator Imboden in the chair.)

By Senator Tips:

Add to section 10: "And nothing in this act shall be construed as in any manner preventing any corporation from exercising all the powers and privileges for doing business in this State heretofore granted such corporations by virtue of a permit issued by this State for the period for which such permit was granted."

Lost.

By Senator Kearby:

Amend by striking out section 10 of the bill as amended.

Adopted by the following vote:

YEAS—14.

Atlee,  
Baldwin,  
Cranford,  
Douglass,  
Hutchison,  
Imboden,  
Kearby,

Lawhon,  
McKinney,  
Pressler,  
Steele,  
Whitaker,  
Woods,  
Yoakum.

NAYS—10.

Agnew,  
Bowser,  
Crowley,  
Dean,  
Lewis,

McComb,  
Shelburne,  
Smith,  
Swayne,  
Tips.

ABSENT—4.

Browning,  
Goss,

Greer,  
Jester.

EXCUSED—3.

Boren,  
Dickson,

Simpson.

Senator Bowser moved to recommit the bill.

Withdrawn.

By Senator Swayne:

Amend by adding section 10: "This act shall not apply to corporations organized for the purpose of developing cities or towns, or parts thereof, or their suburbs, such as town lot companies and building and loan associations."

By Senator Hutchison:

Amend the amendment as follows: Amend by adding the following words: "Provided, said corporations dispose of their real estate to natural persons within twenty years from the passage of this act."

Lost by the following vote:

YEAS—9.

Cranford,  
Greer,  
Hutchison,  
Kearby,  
Lawhon,

Steele,  
Whitaker,  
Woods,  
Yoakum.

NAYS—16.

Agnew,  
Atlee,  
Baldwin,  
Bowser,  
Crowley,  
Dean,  
Douglass,  
Imboden,

Lewis,  
McComb,  
McKinney,  
Pressler,  
Shelburne,  
Smith,  
Swayne,  
Tips.

ABSENT—3.

Browning,  
Goss,

Jester.

EXCUSED—3.

Boren,  
Dickson,

Simpson.

Senator Hutchison entered a motion to reconsider the vote by which section 10 was stricken out and same was ordered spread on the journal.

Senator Cranford moved the previous question upon the bill and pending amendment.

The question "Shall the main question be put?" was decided in the affirmative by the following vote:

YEAS—15.

Agnew,  
Cranford,  
Douglass,  
Imboden,  
Kearby,  
Lawhon,  
McComb,  
McKinney,

Pressler,  
Smith,  
Steele,  
Swayne,  
Whitaker,  
Woods,  
Yoakum.

## NAYS—10.

Atlee,	Goss,
Baldwin,	Hutchison,
Bowser,	Lewis,
Crowley,	Shelburne,
Dean,	Tips.

## ABSENT—3.

Browning,	Jester.
Greer,	

## EXCUSED—3.

Boren,	Simpson.
Dickson,	

Action recurred to Senator Swayne's amendment.

Adopted by the following vote:

## YEAS—13.

Agnew,	McComb,
Baldwin,	Presler,
Bowser,	Shelburne,
Crowley,	Smith,
Dean,	Swayne,
Imboden,	Tips.
Lewis,	

## NAYS—12.

Atlee,	Lawhon,
Cranford,	McKinney,
Douglass,	Steele,
Goss,	Whitaker,
Hutchison,	Woods,
Kearby,	Yoakum.

## ABSENT—3.

Browning,	Jester.
Greer,	

## EXCUSED—3.

Boren,	Simpson.
Dickson,	

Senator Bowser moved to recommit the bill.

The Chair ruled the motion out of order, as the previous question had been ordered.

Senator Hutchison called up his motion to reconsider the vote by which section 10 was stricken out, and the same was lost by the following vote:

## YEAS—10.

Baldwin,	Lewis,
Bowser,	Shelburne,
Crowley,	Smith,
Goss,	Swayne,
Hutchison,	Tips.

## NAYS—14.

Agnew,	McComb,
Atlee,	McKinney,
Cranford,	Presler,
Douglass,	Steele,
Imboden,	Whitaker,

Kearby,	Woods,
Lawhon,	Yoakum.

## ABSENT—4.

Browning,	Greer,
Dean,	Jester.

## EXCUSED—3.

Boren,	Simpson.
Dickson,	

The bill was then ordered engrossed by the following vote:

## YEAS—17.

Agnew,	McKinney,
Baldwin,	Presler,
Cranford,	Smith,
Douglass,	Steele,
Goss,	Swayne,
Imboden,	Whitaker,
Kearby,	Woods,
Lawhon,	Yoakum.
McComb,	

## NAYS—8.

Atlee,	Hutchison,
Bowser,	Lewis,
Crowley,	Shelburne,
Dean,	Tips.

## ABSENT—3.

Browning,	Jester.
Greer,	

## EXCUSED—3.

Boren,	Simpson.
Dickson,	

On motion of Senator Presler, Senate bill No. 143, entitled "An act to provide for the payment by new counties of their proportionate share of the indebtedness of counties from which they are created," was made special order for to-morrow after morning call.

## IN SENATE.

The following House bills were received and referred:

House bill No. 70, a bill to be entitled "An act to restore and confer upon the county court of Blanco county the civil and criminal jurisdiction heretofore belonging to said county under the Constitution and General Laws of this State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

Read first time and referred to Judiciary Committee No. 1.

House bill No. 14, a bill to be entitled "An act to amend article 1263 of the Revised Civil Statutes."



Read first time and referred to Judiciary Committee No. 1.

House bill No. 171, being a bill to be entitled "An act to grant to the Waco Water Power and Electric Company the right to construct and maintain and, by necessary booms or otherwise, to protect and from time to time to raise a dam across the Brazos river, and to purchase, condemn and pay for lands, rights and other property overflowed or injured thereby or necessary therefor."

Read first time and referred to Committee on Internal Improvements.

House bill No. 67, "An act to audit and disburse the money collected by the State of Texas from the United States government, by reason of the direct tax of 1861, and to repeal so much of a joint resolution, approved April 11, 1892, as is in conflict herewith."

Read first time and referred to Committee on Finance.

The Chair gave notice of signing, and did sign House bill No. 328, being a bill to be entitled "An act to amend section 15 of an act entitled an act to redistrict the State into judicial districts, approved April 9, 1883, and to create the Fifty-fifth judicial district, and fix the time for holding court therein, and provide for the appointment of a district judge for the Fifty-fifth district;" also, Senate bill No. 24, "An act to amend article 143 of the Revised Civil Statutes of the State of Texas concerning advertisements for bids to furnish supplies to asylums."

(President pro tem. Kearby in the chair.)

Senator McComb moved to make Senate bill No. 132 special order for Wednesday, February 8, after call.

Senator Imboden moved to amend

by adding, "from day to day until disposed of."

Adopted by the following vote:

YEAS—16.

Atlee,	Lewis,
Baldwin,	McComb,
Bowser,	McKinney,
Dean,	Presler,
Hutchison,	Shelburne,
Imboden,	Swayne,
Kearby,	Tips,
Lawhorn,	Whitaker.

NAYS—9.

Agnew,	Smith,
Cranford,	Steele,
Crowley,	Woods,
Douglass,	Yoakum.
Goss,	

ABSENT—3.

Browning,	Jester.
Greer,	

EXCUSED—3.

Boren,	Simpson.
Dickson,	

Senator Agnew moved to adjourn until to-morrow at 10 o'clock.

Adjourned by the following vote:

YEAS—17.

Agnew,	Lewis,
Atlee,	McComb,
Bowser,	McKinney,
Cranford,	Presler,
Crowley,	Shelburne,
Dean,	Swayne,
Douglass,	Whitaker,
Hutchison,	Woods.
Lawhon,	

NAYS—8.

Baldwin,	Smith,
Goss,	Steele,
Imboden,	Tips,
Kearby,	Yoakum.

ABSENT—3.

Browning,	Jester.
Greer,	

EXCUSED—3.

Boren,	Simpson.
Dickson,	